CLERK'S OFFICE U.S. DIST. COURT

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JUN 2 8 2011

JULIA C DUDLEY, CLERK

BY:

DEPUTY CLERK

GREGORY D. CROSBY, Plaintiff,

Civil Action No. 7:11-ev-00181

v.

ORDER

M. HAMILTON, et al., Defendants. By: Hon. Jackson L. Kiser

Senior United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby

## **ORDERED**

that the action is **DISMISSED** without prejudice; all pending motions are **DENIED** as moot; and the action is **STRICKEN** from the active docket of the court. Plaintiff may refile his claims in a new and separate action once he can pay the \$350 filing fee or file the necessary financial forms to proceed without prepaying the filing fee.

The Clerk is directed to send a copy of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 26 day of June, 2011.

Senior United States District Judge